

same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 448, A bill to be entitled "An Act to repeal Article 551, Title 2, Chapter 4, of the Revised Criminal Statutes of Texas, 1911, and to re-number Article 558, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 819, A bill to be entitled "An Act to amend Section 2, Chapter 78, of the General Laws exempting Wood county in regard to the taking of fish,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 472, A bill to be entitled "An Act to amend Title 9, Chapter 4, Articles 884 and 885, Code of Criminal Procedure, and to provide for the place where judgments of death by electrocution shall take place,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

House bill No. 782, A bill to be entitled "An Act to amend Section 2, Chapter 49, page 45, of the General Laws passed at the Regular Session of the Twenty-first Legislature, exempting Franklin county in regard to the taking of fish,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

CONNER, Chairman.

Committee Room,
Austin, Texas, March 18, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

Senate Concurrent Resolution No. 16, Endorsing Hon. Clark James for position as Commissioner to the Philippine Islands,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WESTBROOK, Chairman.

PETITIONS AND MEMORIALS.

By Senator Conner:

Telegram signed by members of the Ballinger, Texas, bar requesting that the nine juror bill be voted against.

By Senator Townsend:

Numerously signed petition expressing opposition to House bill No. 17 by Mr. Parks of Dallas county, and favoring the Lattimore bill which seeks to regulate Sunday amusements.

By Lieutenant Governor Mayes:

Letter addressed to Secretary Howerton expressing thanks for the complimentary resolution of the Senate, signed by David F. Houston, Secretary of Agriculture, Washington.

FORTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, March 19, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum present, the following Senators answering to their names:

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	

Absent.

Willacy.

Absent—Excused.

Wiley.

Prayer by Rev. Joyce, Chaplain of the House.

Pending the reading of the Journal of yesterday, on motion of Senator Darwin, the same was dispensed with.

(See Appendix for petitions and memorials and standing committee reports.)

SIMPLE RESOLUTIONS—INVITING CONGRESSMEN TO ADDRESS THE SENATE.

By Senator Hudspeth:

Whereas, Hon. W. R. Smith, Congressman from the Fifteenth District of Texas, is in the Capitol; therefore be it

Resolved, That the Senate of Texas invite Congressman Smith to address the Senate and that he be accorded the privileges of the floor.

HUDSPETH,
LATTIMORE,
BRELSFORD.

The resolution was read and adopted, and the Chair appointed the signers of the resolution as a committee to escort Congressman Smith to the President's stand, whereupon he addressed the Senate.

By Senator Gibson:

Whereas, Hon. Sam Rayburn, Congressman from the Fourth District of Texas, is in the Capitol; therefore be it

Resolved by the Senate, That Congressman Rayburn be invited to address the Senate, and that the privileges of the floor for the day be accorded to him.

GIBSON,
LATTIMORE,
COWELL.

The resolution was read and adopted. The Chair appointed the signers of the resolution as a committee to escort Congressman Rayburn to the President's stand, whereupon he addressed the Senate.

FREE CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 393.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate, and Hon. Chester H. Terrell, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred Senate bill No. 393, with the amendments thereto, have had the same under consideration, and beg leave to report that we recommend that said bill be amended as follows, and that with said amendments it pass and that it be not printed in the Journal.

HUDSPETH,
WEINERT,
CARTER,
BAILEY,
WATSON,

On part of the Senate.

MILLS,
BURNS of Hill,
BUTLER,
DUNN,

On part of the House.

The report was read and adopted by the following vote:

Yeas—26.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Willacy.

Absent.

Cowell.	Nugent.
McGregor.	Watson.

Absent—Excused.

Wiley.

BILLS AND RESOLUTIONS.

(By Unanimous Consent.)

By Senator Lattimore:

Senate bill No. 467, A bill to be entitled "An Act creating the Tolar Independent School District in Hood county, Texas; defining its metes and bounds; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general law; providing for a board of trustees therefor; providing that the present maintenance tax of the Tolar Independent School District shall apply in the new district, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senator Greer:

Senate bill No. 468, A bill to be entitled "An Act creating a more efficient road system for Upshur county, Texas, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Johnson:

Senate bill No. 469, A bill to be entitled "An Act to amend Senate bill No. 233, passed by the Thirty-third Legislature at its Regular Session, entitled 'An Act adding to and making a part of the Slaton Independent School District of Lubbock county certain lands and territory adjoining thereto, situate in Lubbock county, and adding thereto and making a part thereof certain lands and territory adjoining thereto situate in Lynn county, all for school purposes, and declaring an emergency.'"

Read first time and referred to Committee on Educational Affairs.

By Senator Real:

Senate bill No. 470, A bill to be entitled "An Act to amend Section 1, of Chapter 24, of the Acts of the Thirty-second Legislature, entitled 'An Act to diminish the civil and criminal jurisdiction of the county court of Kendall county; to conform the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency,' so as to confer upon the county court of Kendall county of all cases or matters of eminent domain, and to repeal all laws in conflict therewith, and declaring an emergency."

Read first time and referred to Judiciary Committee No. 2.

By Senators Brelsford, Lattimore, Warren, Vaughan, Astin, Hudspeth,

Conner, Watson, Nugent, Bailey, Collins, Townsend, Carter, Greer and Morrow:

Senate Concurrent Resolution No. 24, To provide for the creation of a commission to report to the Thirty-fourth Legislature of Texas a complete system of judicial reform, providing for the expense of said commission, defining the qualifications and duties of said commissioners, and making an appropriation to carry the same into effect.

Read first time and referred to Committee on State Affairs.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the following resolution, Senate Concurrent Resolution No. 16.

Also, the House concurs in Senate amendments to House bill No. 355 by the following vote: Yeas, 95; nays, 1.

Also, simple resolution requesting the Senate to return House bill No. 439 for correction.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE SIMPLE RESOLUTION.

The Chair laid before the Senate, House simple resolution, requesting the Senate to return to the House, House bill No. 439 for correction.

The resolution was read and adopted. Senator Terrell moved that House bill No. 439 be recalled from the committee.

The motion was adopted.

Morning call concluded.

HOUSE BILL NO. 47.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

House bill No. 47, A bill to be entitled "An Act to provide for the printing, binding, publication and sale of the Reports of the Decisions of the Supreme Court, Court of Criminal Appeals and Courts of Civil Appeals of the State of Texas."

The bill was read third time and passed.

HOUSE BILL NO. 372.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 372, A bill to be entitled "An Act to create a more efficient road system for Goliad county, Texas, and making the commissioners court of said county ex-officio road commissioners in their respective precincts, and providing for, and fixing their compensation as such road commissioners."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Lattimore, the constitutional rule requiring bills to be on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Astin.	McNealus.
Brelsford.	Murray.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McGregor.	Westbrook.

Absent.

Bailey. Willacy.

Absent—Excused.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—29.

Astin.	Johnson.
Bailey.	Kauffman.
Brelsford.	Lattimore.
Carter.	McGregor.
Collins.	McNealus.
Conner.	Morrow.
Cowell.	Murray.
Darwin.	Nugent.
Gibson.	Paulus.
Greer.	Real.
Hudspeth.	Taylor.

Terrell.
Townsend.
Vaughan.
Warren.

Watson.
Weinert.
Westbrook.

Absent.

Willacy.

Absent—Excused.

Wiley.

Senator Lattimore moved to reconsider the vote by which the bill was passed and lay that motion on the table. The motion to table prevailed.

HOUSE BILL NO. 564.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 564, A bill to be entitled "An Act to authorize and empower Zavala county, or any political subdivision, etc., to issue bonds for road purposes and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to third reading.

On motion of Senator Weinert, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	

Absent.

Willacy.

Absent—Excused.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—29.

Astin.	Collins.
Bailey.	Conner.
Brelsford.	Cowell.
Carter.	Darwin.

Gibson.	Paulus.
Greer.	Real.
Hudspeth.	Taylor.
Johnson.	Terrell.
Kauffman.	Townsend.
Lattimore.	Vaughan.
McGregor.	Warren.
McNealus.	Watson.
Morrow.	Weinert.
Murray.	Westbrook.
Nugent.	

Absent.

Willacy.

Absent—Excused.

Wiley.

Senator Weinert moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 592.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 592, A bill to be entitled "An Act to create a more efficient road system for Travis county, Texas, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator McGregor, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	

Absent.

Willacy.

Absent—Excused.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—29.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	

Absent.

Willacy.

Absent—Excused.

Wiley.

Senator McGregor moved to reconsider the vote by which the bill was passed and lay that motion on the table

The motion to table prevailed.

HOUSE BILL NO. 149.

The Chair laid before the Senate, on second reading, as pending business,

House bill No. 149, A bill to be entitled "An Act to amend Article 1954, Chapter 12, Title 37, and Articles 1970, 1971, 1972, 1973 and 1974 of Chapter 13, Title 37 and Article 2061 of Chapter 19, Title 37 of the Revised Civil Statutes of the State of Texas, 1911, relating to charges and instructions to the jury, and prescribing the time when a charge of the court and special charges may be read to the jury, the requirements of such charges, and the manner and necessity of excepting to such charges and to repeal all laws and parts of laws in conflict therewith."

(Senator Kauffman in the chair.)

Senators Morrow and Townsend offered the following amendment, which was read and adopted:

Amend House bill No. 149 by adding after the words "Revised Civil Statutes of the State of Texas for the year 1911," the words, "and providing for the submission of cases on special issues," by adding to said Chapter 13, Article 1975a.

Amend the bill by adding after Article 1974, Article 1975a, to read as follows:

"Article 1975a. In all jury civil cases the court may and upon the request of either party, shall submit the case upon the special issues raised by the pleading

and evidence in said case, together with such explanations and definitions of legal terms as shall be necessary to enable the jury to properly pass upon and render the verdict on such issues and in all cases so submitted other than in suits upon liquidated demands where findings which the jury might make would require that judgment be entered for the plaintiff, the judge shall instruct the jury that if they make such findings they shall assess the damages which the plaintiff is entitled to recover on such findings; provided that all explanations and definitions of legal terms and all special issues not embraced in such charge and not requested by either party shall be deemed to have been waived or to have been found by the court in such manner as to support the judgment; provided there be evidence to support such finding; provided that if the nature of the case is such that it cannot be determined on the submission of special issues the court may refuse the request to do so, but his action in so doing may be reviewed in exception, and this shall not be construed as repealing Art. 1985, Revised Statutes 1911."

Senator Townsend offered the following amendment, which was read and adopted:

Amend the bill on page 2, line 9, by adding after the word "thereto" the following, "in writing."

Senator Morrow offered the following amendment, which was read and adopted:

Amend the bill by striking out page 4 all 16 to line 22 inclusive.

Senator Collins offered the following amendment:

Amend the bill as follows: In line 11, page 2, strike out all after the word "jury" down to and including the word "waived" in line 12.

Senator Brelsford offered the following substitute for the amendment:

Amend bill, page 2, line 12, after word "waived," strike out semi-colon and insert comma and add following words: "Unless presented in a motion for a new trial and called to the court's attention."

The substitute was read and adopted.

The amendment, as substituted, was adopted by the following vote:

Yeas—20.

Astin.	Gibson.
Brelsford.	Greer.
Carter.	Hudspeth.
Collins.	Johnson.
Cowell.	Kauffman.
Darwin.	Lattimore.

McNealus.
Nugent.
Paulus.
Real.

Terrell.
Warren.
Watson.
Westbrook.

Nays—6.

Conner.
Morrow.
Taylor.

Townsend.
Vaughan.
Weinert.

Absent.

Bailey.
McGregor.

Murray.
Willacy.

Absent—Excused.

Wiley.

Senator Brelsford offered the following amendment, which was read and adopted:

Amend bill, page 3, line 7, strike out period and insert comma after word "change" and insert following words:

"Or called to the court's attention in motion for a new trial."

Senator Brelsford offered the following amendment, which was read and adopted:

Amend bill, page 2, line 24, after word "revision" add the following: "unless presented in motion for new trial as hereinbefore provided."

Senator Astin offered the following amendment:

Amend the bill as follows: By striking out all after the word "regarded," in lines 9, 10 and 11, on page 3, and insert in lieu thereof the following: "as excepted to in all cases."

The amendment was read and adopted.

Senator Hudspeth moved to reconsider the vote by which the first amendment by Senator Brelsford, as a substitute for Senator Collins' amendment, was adopted.

Senator Brelsford moved to table the motion to reconsider, which motion to table was adopted by the following vote:

Yeas—15.

Astin.
Brelsford.
Carter.
Collins.
Cowell.
Greer.
Johnson.
Kauffman.

Lattimore.
McNealus.
Nugent.
Paulus.
Terrell.
Warren.
Watson.

Nays—11.

Conner.
Darwin.
Gibson.
Hudspeth.

Morrow.
Real.
Taylor.
Townsend.

Vaughan. Westbrook.
Weinert.

Absent.

Bailey. Murray.
McGregor. Willacy.

Absent—Excused.

Wiley.

Senator Morrow offered the following amendment:

Amend by striking out of Article 1971, page 2, all that part which requires charge to be read before argument.

The amendment was read, and

Senator Brelsford moved to table same, which motion to table was adopted by the following vote:

Yeas—13.

Astin.	Kauffman.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Townsend.
Darwin.	Warren.
Gibson.	Westbrook.
Hudspeth.	

Nays—10.

Conner.	Morrow.
Cowell.	Murray.
Greer.	Nugent.
Johnson.	Watson.
Lattimore.	Weinert.

Present—Not Voting.

McNealus. Willacy.
Vaughan.

Absent.

Bailey. Taylor.
McGregor. Terrell.

Absent—Excused.

Wiley.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Collins:

Whereas, A thorough knowledge of the Constitution of the State of Texas is essential and necessary for every Senator; and

Whereas, There is no better method to secure this knowledge than to study the State Constitution, properly annotated; and

Whereas, There has just been published by the Hon. W. M. Harris, of the Austin Bar, a Constitution of the State

annotated to date, which has been approved by the Attorney General and by the many lawyers who have examined it; therefore, be it

Resolved, That the Committee on Contingent Expenses purchase for the use of the members of this Senate thirty-one copies of said annotated Constitution for immediate delivery, the same to be paid for out of the contingent funds of the Senate.

Signed—Astin, Gibson, Carter, Morrow, Paulus, Brelsford, Nugent, Hudspeth, Willacy, Kauffman, Collins, Greer, Vaughan, McGregor, McNealus, Weinert, Murray, Bailey, Watson, Conner, Lattimore, Townsend.

The resolution was read and adopted.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator McNealus:

Whereas, This is the fifty-third birthday of the Hon. W. J. Bryan; therefore, be it

Resolved, That the Senate congratulates Mr. Bryan and the people of the United States upon this notable day.

Resolved, That these congratulations be telegraphed by the Secretary of the Senate to Mr. Bryan at his home in Lincoln, Nebraska.

The resolution was read and adopted.

RECESS.

On motion of Senator Weinert, the Senate, at 12:40 o'clock p. m., recessed until 3 o'clock p. m. today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Lattimore.

VOTE ON SIMPLE RESOLUTION RE-CONSIDERED.

Senator Brelsford moved to reconsider the vote by which the Senate adopted a simple resolution today, providing for the purchase of certain annotated copies of the State Constitution.

The motion prevailed.

On motion of Senator Brelsford, the

resolution was referred to the Committee on Contingent Expenses.
(Lieutenant Governor Mayes in the chair.)

HOUSE BILL NO. 149.

(Pending Business.)

Action recurred on House bill No. 149, the pending business.

Senator Carter offered the following amendment, which was read and adopted:

Amend the bill, page 2, by adding after the word "jury," in line 19, the following: "Provided, that the refusal of the trial court to give counsel for the parties reasonable time for the inspection of the charge and to present their objections shall, by proper bill of exceptions be subject to review in the appellate court."

The bill was read second time, and passed to a third reading.

On motion of Senator Morrow, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Brelsford.	Morrow.
Carter.	Murray.
Collins.	Paulus.
Conner.	Real.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McNealus.	

Nays—1.

Nugent.

Absent.

Astin.	McGregor.
Bailey.	Taylor.
Hudspeth.	Willacy.

Absent—Excused.

Wiley.

The bill was read third time, and passed by the following vote:

Yeas—21.

Bailey.	Darwin.
Brelsford.	Gibson.
Carter.	Greer.
Collins.	Hudspeth.
Conner.	Johnson.
Cowell.	Kauffman.

McNealus.	Townsend.
Morrow.	Warren.
Murray.	Weinert.
Paulus.	Westbrook.
Real.	

Nays—6.

Lattimore.	Terrell.
Nugent.	Vaughan.
Taylor.	Watson.

Absent.

Astin.	Willacy.
McGregor.	

Absent—Excused.

Wiley.

Senator Morrow moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives.
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 70, A bill to be entitled "An Act to amend the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so as to add thereto after Article 3078, Article 3078a, providing for the nomination of candidates for President and Vice President of the United States, and party political electors, and the election of delegates to the national convention of the respective political parties of this State, to be chosen by a direct preferential primary, and providing an emergency."

Senate bill No. 342, A bill to be entitled "An Act to amend Article 854, Revised Statutes, 1911, by adding Articles 854a and 854b, authorizing the sale and conveyances by cities and towns of public squares or parks, and providing for the investment of the proceeds of such sales, and the closing for exclusive use temporarily or perpetually, by any railroad company or other corporation having power of eminent domain, in any part or parts of any street or streets, alley or alleys, and to ratify or confirm any prior ordinance closing any street or streets, alley or alleys, or part or parts thereof, for the use of any railroad company or such other corporation; sub-

mitting the sale of public squares or parts or the closing of a street or alley or the part or parts of the street or alley to the vote of the qualified voters, and declaring an emergency," with amendments.

Senate bill No. 277, A bill to be entitled "An Act granting any person who has filed on any public land in this State and who has been compelled to defend a lawsuit to obtain title to and possession of said land because of an erroneous award of same, to an adverse party by the General Land Office, and declaring an emergency."

Senate bill No. 402, A bill to be entitled "An Act to organize the Thirteenth Judicial District of Texas, and to create the Seventy-sixth Judicial District of Texas; and fix the time of holding the courts in said district, and to provide for organizing grand juries at certain terms in said courts; and to provide for the appointment of a judge of the Seventy-sixth Judicial District; and to continue in office the judge and district attorney of the Thirteenth Judicial District and the clerks of the district courts in the several counties of said districts; and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Senate bill No. 414, A bill to be entitled "An Act to amend Articles 1234 and 1236, of Chapter 13, Title 25, of the Revised Civil Statutes of the State of Texas of 1911, to provide for the acquisition by telegraph and telephone companies incorporated under the laws of Texas, of other companies or the systems of other companies incorporated for said purposes by construction or by purchase, lease or other contract, and declaring an emergency," with amendments.

Senate bill No. 150, A bill to be entitled "An Act fixing the salaries of the judges of the Supreme Court and Court of Criminal Appeals and the Court of Civil Appeals in the State, and declaring an emergency," with amendments.

Senate bill No. 57, A bill to be entitled "An Act to validate incorporations of towns and villages heretofore attempted to be made under the provisions of Chapter 11, Title 18, of the Revised Civil Statutes of 1895, and of the law providing for the same under Chapter 14, Title 22, of the Revised Statutes of 1911, but which attempted incorporations failed to comply with all the requirements of said chapters and titles, and declaring an emergency."

Senate bill No. 38, A bill to be entitled

"An Act defining livestock commission merchants, requiring such merchants to give bond, imposing penalty for pursuing occupation of livestock commission merchant when bond has not been made; providing that suits may be brought on such bonds; fixing the venue of such suits; repealing all laws in conflict, and declaring an emergency."

Senate bill No. 239, A bill to be entitled "An Act to amend Subdivision 60, of Article 1121, of Chapter 2, of Title 25, of the Revised Civil Statutes of Texas, of 1911, adopted at the Regular Session of the Thirty-second Legislature, and authorizing the formation of corporations for the construction and operation of interurban electric, gas or gasoline, denatured alcohol or naphtha motor railways, with power to own, construct and operate union depots and office buildings."

Senate bill No. 269, A bill to be entitled "An Act to amend Subdivision 45 of Article 1121, of Title 25, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, so extending the powers of sanitariums as to allow the ownership of real estate, the developing of irrigation, the ownership of hotels and bath houses and outdoor sports for its patients."

Senate bill No. 99, A bill to be entitled "An Act to punish any person who shall, without good cause, abandon his wife or wilfully neglect or refuse to maintain or provide for her, and to punish every person who shall abandon his or her minor child or children under the age of sixteen years, or who shall wilfully neglect or refuse to maintain or provide for such child or children, prescribing penalties therefor, and declaring an emergency," with amendments.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 218.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 218, A bill to be entitled "An Act to name the several counties composing the Thirty-third Judicial District and fix the time for holding district courts therein, and to repeal all laws in conflict therewith, and declaring an emergency."

On motion of Senator Conner, the

Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Conner, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—26.

Bailey.	McNealus.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.

Absent.

Astin.	Morrow.
McGregor.	Willacy.

Absent—Excused.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—26.

Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	Westbrook.

Absent.

Astin.	McGregor.
Bailey.	Willacy.

Absent—Excused.

Wiley.

Senator Conner moved to reconsider

the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 594.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 594, A bill to be entitled "An Act to create a more efficient road system for Tom Green county, Texas, and declaring an emergency."

The committee report, which provided that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McNealus.	

Absent.

Astin.	Willacy.
McGregor.	

Absent—Excused.

Wiley.

The bill was read third time and passed by the following vote:

Yeas—27.

Bailey.	Lattimore.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Murray.
Conner.	Nugent.
Cowell.	Paulus.
Darwin.	Real.
Gibson.	Taylor.
Greer.	Terrell.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Warren.

Watson.
Weinert.

Westbrook.

Absent.

Astin.
McGregor.

Willacy.

Absent—Excused.

Wiley.

Senator Hudspeth moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SIMPLE RESOLUTION.

By Senator Carter:

Whereas, There has appeared in the public press certain resolutions, supposed to be adopted by the El Paso Chamber of Commerce condemning the State Senate on the congressional redistricting bill; and

Whereas, A certain so-called Commercial Club located at Pecos, Texas, has by various letters written to the members of the Senate, challenged the honesty and integrity of the Senate and some of its individual members thereof; and

Whereas, Certain Congressmen now holding Federal jobs at Washington are using the telegraph wires sending various messages to certain constituents asking that they interfere with the individual members of the Congressional Redistricting Committee unless they—the present Congressmen—secure such districts that are suitable and convenient to them; therefore, be it

Resolved by the Senate of the State of Texas:

1. That we resent any such action as adopted by the El Paso, or any other Chamber of Commerce of Texas, in their attempt to reflect on this Senate or any member thereof.

2. We express our unbounded confidence in each member of the Congressional Redistricting Committee and stand ready to assist them in any way that will further their work.

3. That we do not appreciate nor approve the action of certain Congressmen in seeking to interfere or have their friends interfere with the redistricting committee which will result in blocking any legislation along this line.

4. That we deplore and protest against any move on the part of any Congressman to disturb and disrupt the Congressional Redistricting Committee which will or might prevent the State from being redistricted, which, in our opinion, should be done.

5. That we desire to (and believe the redistricting committee will) redistrict the State from the standpoint of the people and not to the interest of any Congressman.

The resolution was read, and Senator Carter moved to adopt same, and

Senator Taylor moved to table the same, and

Senator Lattimore moved, as a substitute that the resolution be referred to the Committee on Federal Relations.

Action recurred on the substitute motion and the same was adopted.

SENATE BILL NO. 414—FREE CONFERENCE COMMITTEE ON.

Senator Vaughan called up Senate bill No. 414 with the following House amendments:

Amend Senate bill No. 414 by adding: "Provided that when one company buys another out under the provisions of this act it shall charge no higher rate for its service than the lowest rate now charged by any company in said city."

The following motion was made:

Resolved by the Senate, That the Senate refuses to concur in the House amendments to Senate bill No. 414 and that the Senate requests the House for a Free Conference Committee upon said bill, and that the following Senators be elected on the part of the Senate as members of said Free Conference Committee, to-wit, Vaughan, Townsend, Warren, Watson, Hudspeth.

The motion was read and adopted by the following vote:

Yeas—23.

Brelsford.	Morrow.
Carter.	Murray.
Collins.	Nugent.
Conner.	Paulus.
Cowell.	Real.
Darwin.	Taylor.
Gibson.	Terrell.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	

Nays—1.

Westbrook.

Present—Not Voting.

Townsend.

Absent.

Astin.	McGregor.
Bailey.	Willacy.
Greer.	

Absent—Excused.

Wiley.

HOUSE BILL NO. 189.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 189, A bill to be entitled "An Act to amend Chapter 13, Title 71, of the Revised Civil Statutes of Texas, 1911, providing that corporate surety companies may become sureties on bonds of county and State officials."

Senator Terrell offered the following amendment, which was read and adopted:

Amend the caption of the bill by adding "and declaring an emergency."

Senator Morrow offered the following amendment, which was read and adopted:

Amend by adding at end of Article 4929, page 4, "and provided any suit or any bond issued under Articles 4928 or 4929, shall be brought at the place provided by Article 4934, Revised Statutes, 1911, and if the corporation issuing the bond sued on had no agent in the county where said bond was issued, then the Commissioner of Banking and Insurance of this State is made by consent of the said company, its agent on whom service of jurors may be had."

The bill was read second time and passed to a third reading.

On motion of Senator Watson, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—27.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McNealus.	

Absent.

Bailey.	Willacy.
McGregor.	

Absent—Excused.

Wiley.

The bill was read third time and was passed by the following vote:

Yeas—27.

Astin.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McNealus.	

Absent.

Bailey.	Willacy.
McGregor.	

Absent—Excused.

Wiley.

Senator Watson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 540.

The Chair laid before the Senate, on second reading and regular order,

House bill No. 540, A bill to be entitled "An Act creating the State Bureau of Child and Animal Protection and authorizing said bureau to investigate and secure the enforcement of the laws for the protection of children and dumb animals; providing for the appointment of agents, and providing for the publication of annual and biennial reports."

The bill was read second time and passed to a third reading.

PERSONAL PRIVILEGE.

The following is printed here by motion made by Senator Morrow, and adopted:

El Paso, March 19, 1913.

Claude B. Hudspeth, Senate Chamber, Austin, Texas.

Your El Paso friends will see that you are not slapped in the face. You have the confidence of the El Paso Democracy.

JOSEPH M. NEALSON.

The above was read and Senator Hudspeth spoke to a question of personal privilege.

HOUSE BILL NO. 163.

The Chair laid before the Senate, on second reading, and regular order,

House bill No. 163, A bill to be entitled "An Act to prohibit the intra-state shipment and delivery of intoxicating liquors into counties, subdivisions of counties, justices precincts, cities and towns within this State, in which the sale of intoxicating liquors is prohibited under the local option laws of this State; prohibiting any person, firm, association of persons or corporation, or any officer, agent or employe thereof from delivering to any person, firm, association of persons or corporation, or any officer, agent or employe, any intoxicating liquor for shipment, transportation or carriage into or delivery within any county, subdivision of a county, justice precinct, city or town within this State, within which the sale of intoxicating liquor is prohibited under the local option laws of this State; prohibiting the receiving by any person, firm, association of persons or corporation or any officer, agent or employe thereof of any intoxicating liquors from such shipment into any territory within which the sale of intoxicating liquor is prohibited under the local option laws of this State, prohibiting the carriage or delivery by any person, firm, association of persons or corporation, or any officer, agent or employe thereof of any intoxicating liquor into any territory within which the sale of intoxicating liquor is prohibited under any local option law of this State; providing that this Act shall not relate to or affect inter-state shipments of intoxicating liquor; providing for exemption of any person, personally carrying intoxicating liquor into such territory for the use of himself or the members of his family residing with him, providing that this act shall not apply to the shipment, transportation, carriage or delivery to persons, licensed under the laws of this State to sell spirituous, vinous or malt liquors for medical purposes, within local option territory; providing penalties for the violation of this act, repealing all laws and parts of laws in conflict herewith, providing that if any section or part of this act is held invalid that that fact shall not invalidate any other part of this act, and declaring an emergency."

Senator Lattimore offered the following amendment, which was read and adopted:

Amend bill, pages 3 and 4, by striking out the words "from receiving," in

line 132, page 3, and line 1, page 4, and inserting in lieu thereof the following: "to receive," and by striking out the word "delivering," on page 4, line 1, and inserting in lieu thereof the words: "to deliver."

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill, page 2, line 24, by inserting after the word "any" and before the word "county" the word "other."

Amend the bill, page 2, line 25, by striking out all of Section 1, after the word "State," in said line, and substituting in lieu thereof the following: "for the purpose of being possessed, used, kept, or sold, in violation of any law of this State, either general or local."

The amendment was read and adopted by the following vote:

Yeas—27.

Astin.	McNealus.
Bailey.	Morrow.
Brelsford.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	

Absent.

McGregor.	Willacy.
Real.	
Wiley.	

Absent—Excused.

Senator Terrell offered the following amendment:

Amend the bill by striking out Section 7 thereof.

Senator Watson offered the following substitute for the amendment:

Amend the bill by striking out Section 7, and insert in lieu thereof:

"Sec. 7. It shall be unlawful for any person, for the use of himself or anyone residing therein, to ship by freight, express or otherwise or to carry on or about his person, saddle bag, buggy or any vehicle of any character whatsoever any intoxicating liquor of any character whatsoever into any county, subdivision of a county, justice precinct, city or town within this State, within which the sale of intoxicating liquor is pro-

hibited under any local option law in this State."

The substitute was read, and

Senator Lattimore moved to table same, which motion to table was adopted by the following vote:

Yeas—17.

Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Johnson.	Westbrook.
Lattimore.	

Nays—9.

Astin.	Paulus.
Bailey.	Terrell.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	

Absent.

Greer.	Real
McGregor.	Willacy.

Absent—Excused.

Wiley.

Action recurred on the amendment by Senator Terrell, and

On motion of Senator Lattimore, the same was tabled by the following vote:

Yeas—18.

Brelsford.	Lattimore.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Nugent.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.

Nays—9.

Astin.	Paulus.
Bailey.	Terrell.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	

Absent.

McGregor.	Willacy.
Real	

Absent—Excused.

Wiley.

Senator Watson offered the following amendment:

Amend the bill, page 4, by adding at end of Section 6, the following: "Provided, however, that before any such intoxicating liquor can be transported, carried or conveyed and delivered under the provisions of this section that both the shipper and consignee of said intoxicating liquors shall first be required to file an affidavit of themselves, stating that such intoxicating liquors are not to be used for the purpose above enumerated, and in the event said intoxicating liquors are consigned by corporation then the above affidavit shall be filed by the duly accredited agent and representative of said corporation at the place of consignment."

The amendment was read, and

Senator Vaughan moved to table same, which motion to table was adopted by the following vote:

Yeas—17.

Brelsford.	Lattimore.
Carter.	McNealus.
Collins.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Westbrook.
Johnson.	

Nays—9.

Astin.	Paulus.
Bailey.	Terrell.
Hudspeth.	Watson.
Kauffman.	Weinert.
Murray.	

Present—Not Voting.

Morrow.

Absent.

McGregor.	Willacy.
Real.	

Absent—Excused.

Wiley.

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill, page 3, line 1, by inserting after the word "any" the word "other."

Senator Vaughan offered the following amendment:

Amend the bill, page 3, line 2, by striking out all of Section 2 after the word "State," and inserting in lieu thereof the following: "except to some one duly licensed to engage in business as a dealer in such liquors."

The amendment was read, and adopted by the following vote:

Yeas—22.

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Darwin.	Terrell.
Greer.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Warren.
Kauffman.	Watson.
McNealus.	Westbrook.

Nays—5.

Conner.	Lattimore.
Cowell.	Nugent.
Gibson.	

Present—Not Voting.

Weinert.

Absent.

McGregor.	Willacy.
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Absent—Excused.

Wiley.

Senator Watson offered the following amendment:

Amend the bill, page 4, line 23, by adding after the word "liquor" the following: "not in excess of one pint."

Senator Lattimore moved to table the amendment, which motion to table was adopted by the following vote:

Yeas—19.

Bailey.	Lattimore.
Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Gibson.	Warren.
Greer.	Westbrook.
Johnson.	

Nays—8.

Astin.	Paulus.
Hudspeth.	Terrell.
Kauffman.	Watson.
Murray.	Weinert.

Absent.

McGregor.	Willacy.
Real	

Absent—Excused.

Wiley.

Senator Watson offered the following amendment:

Amend the bill by adding another section, to be known as Section 7a:

"Sec. 7a. Whenever it shall come to the knowledge of any sheriff, constable, police officer or other peace officers by affidavit of a reputable citizen or otherwise, that any of the provisions of this law are being violated, it shall be the duty of such officer to immediately avail himself of all lawful means to suppress such violation; and he shall be authorized by any search warrant that may be issued by virtue of this law to enter any house, room or place to be searched using such force only as may be necessary to accomplish said purpose."

The amendment was read and lost.

Senator Watson offered the following amendment:

Amend the bill by adding another section, to be known as Section 7b:

"Sec. 7b. Upon the filing with any justice of the peace, county or district judge, or any other magistrate, of an affidavit in writing made by a reputable citizen, that any of the provisions of this law are being violated, it shall be the duty of such officer, with whom said affidavit is filed, to immediately issue a warrant, commanding the peace officer to whom same is directed, to immediately enter and search such building, room, premises or place, and to arrest all parties found therein, or making their escape therefrom, and to take possession of any intoxicating liquors of any character whatsoever; and it shall be the duty of such officer to immediately take the persons arrested before the nearest magistrate, and lodge the proper complaint against each person so arrested."

On motion of Senator Lattimore, the amendment was tabled by the following vote:

Yeas—18.

Brelsford.	Lattimore.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Nugent.
Cowell.	Taylor.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.

Nays—8.

Astin.	Murray.
Bailey.	Paulus.
Hudspeth.	Watson.
Kauffman.	Weinert.

Absent.

McGregor. Terrell.
Real. Willacy.

Absent—Excused.

Wiley.

Senator Watson offered the following amendment:

Amend the bill by adding another section to be known as Section 7c, to read as follows:

"Sec. 7c. It shall be the duty of every sheriff, constable, police officer or other peace officer, by virtue of the warrant authorized by this act, to seize and take into possession all intoxicating liquors of any character whatsoever, the existence of which has come to his knowledge, and to immediately file with the justice of the peace, county judge or district judge, a list in writing of the intoxicating liquors of any character whatsoever seized, and shall designate the place where same was seized, and the owner of same, or person from whom possession was taken. Thereupon it shall be the duty of said justice of the peace, county or district judge to note same upon his docket, and to issue, or cause the clerk of the court to issue, a notice in writing to the owner or person in whose possession the intoxicating liquors of any character whatsoever were found, commanding him to appear at a designated time, not earlier than five days from the service of such notice, and show cause why such intoxicating liquors of any character whatsoever should not be destroyed. If personal service can not be had upon the person to whom same is directed, a copy of said notice shall be posted for not less than five days, either upon the courthouse door of the county where the proceedings are begun or upon the building or premises from which the property seized was taken."

The amendment was read and lost.

Senator Vaughan offered the following amendment:

Amend the bill by striking out all after the enacting clause and substituting the following:

Section 1. Except as otherwise provided in this act it shall be unlawful for any person, firm or corporation, or any officer, agent or employe thereof, to deliver to any other person, firm or corporation, or any officer, agent or employe thereof, any intoxicating liquor for shipment, transportation, carriage or delivery from any point within this

State to any other point within this State.

Sec. 2. Except as otherwise provided in this act, it shall be unlawful for any person, firm or corporation, or any officer, agent or employe thereof to receive from any other person, firm or corporation or any agent or employe thereof, any intoxicating liquor for shipment, transportation, carriage or delivery, to any other point within this State.

Sec. 3. Except as otherwise provided in this act, it shall be unlawful for any person, firm or corporation, or any officer, agent or employe thereof, to ship, transport, carry or deliver any intoxicating liquor from any point within this State to any other person, firm or corporation, or any officer, agent or employe thereof, within this State.

Sec. 4. Nothing in this act shall be construed as relating to interstate shipment and transportation of intoxicating liquors, or to the delivery of same to any person, firm or corporation within this State on such interstate shipment or transportation.

Sec. 5. Nothing in this act shall make it unlawful for any person licensed under the laws of this State to sell spirituous, vinous or malt liquors, to ship, transport, carry or deliver intoxicating liquors to any person within the limits of the county or subdivision thereof within which such dealer is licensed or authorized under the laws of this State to pursue such business.

Sec. 6. Nothing in this act shall make it unlawful for any person for the use of himself or the members of his family residing with him to personally carry intoxicating liquors from any point within this State to any other point within this State.

Sec. 7. Nothing in this act shall make it unlawful for any person authorized or licensed under the laws of this State to sell spirituous, vinous or malt liquors, from shipping or delivering intoxicating liquors to any other person within this State licensed under the laws of this State to sell spirituous, vinous or malt liquors.

Sec. 8. Nothing in this act shall make it unlawful for any priest or minister of any religious denomination or sect from ordering or receiving wines for sacramental purposes, or to the use thereof for sacramental purposes, or to the transportation, carriage or delivery thereof to any point within this State by any person, firm or corporation for sacramental purposes only.

Sec. 9. Any person, or any officer,

agent or employe of any firm or of any corporation, who shall violate any of the provisions of this act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by confinement in the State penitentiary for not less than one nor more than three years.

Sec. 10. Any corporation which shall violate any of the provisions of this act shall for each such violation forfeit and pay the sum of \$500, which may be recovered by any individual in the name of the State of Texas, in any court of competent jurisdiction in this State, but no compensation shall be allowed such citizen, and he may be required to give security for costs, and it shall be the duty of the county attorney or district attorney to prosecute for the recovery of same.

Sec. 11. All laws and parts of laws in conflict with this act are hereby expressly repealed.

Sec. 12. If for any reason, any section or part of this act shall be held to be unconstitutional or invalid, then that fact shall not invalidate any other part of this act, but the same shall be enforced without reference to the parts, if any, so held to be invalid, unless the entire act shall be held invalid.

Sec. 13. The fact that there is now no law confining the liquor traffic to counties and subdivisions of counties within which the sale of intoxicating liquors is authorized under the laws of this State, creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

The above amendment was read and Senator Watson made the point of order that the amendment, being a substitute for the bill, was not germane in that the Senate had considered and amended the bill sought to be substituted.

The Chair overruled the point of order.

Senator Nugent offered the following amendment to the amendment:

Amend the amendment by changing the period at the end of Section 3 to a comma, and add thereafter the following: "Provided that nothing herein shall prohibit any person from shipping or transporting intoxicating liquors in quantities of one quart or less to an individual or person who accompanies his order for or purchase thereof an affidavit in writing that such liquor is wanted

only for the person buying the same or for his family."

On motion of Senator Vaughan the amendment to the amendment was tabled.

The amendment was adopted.

Senator Vaughan offered the following amendment, which was read and adopted:

Amend the bill by striking out all before the enacting clause and substituting in lieu thereof the following:

"An Act to prohibit the intrastate shipment and transportation of intoxicating liquors, prohibiting any person, firm, corporation, or any officer, agent or employe thereof, from delivering to any other person, firm, corporation or any officer, agent or employe thereof, any intoxicating liquor for shipment, transportation or carriage from any point within this State to any other point within this State; prohibiting any person, firm, corporation, or any officer, agent or employe thereof from receiving for shipment, transportation or carriage, or from shipping, transporting, carrying or delivering any intoxicating liquor from any point within this State to any other person, firm, or corporation, or any officer, agent or employe thereof, within this State; providing that this act shall not apply to any person personally carrying any intoxicating liquor from any point within this State to any other point within this State for the use of himself, or members of his family residing with him; providing this act shall not apply to the transportation, carriage or delivery of intoxicating liquors to persons licensed under the laws of this State to sell spirituous, vinous or malt liquors; providing that this act shall not prohibit the shipment, transportation or delivery by persons licensed under the laws of this State to sell spirituous, vinous or malt liquors within the county or subdivision of a county in which such persons are authorized or licensed under the laws of this State to pursue such business; providing that this act shall not apply to the interstate shipment or delivery of intoxicating liquors providing exception to this act for sacramental purposes; providing penalties for violations of the provisions of this act; repealing all laws in conflict herewith, providing if any section or part of this act shall be held to be invalid that that fact shall not invalidate any other part of this act, and declaring an emergency."

Senator Vaughan moved the previous question on the bill, which motion being duly seconded, was so ordered.

The bill was read second time and passed to a third reading.

On motion of Senator Vaughan, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Brelsford.	McNealus.
Carter.	Morrow.
Collins.	Nugent.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Weinert.
Hudspeth.	Westbrook.
Lattimore.	Willacy.
McGregor.	

Nays—4.

Bailey.	Paulus.
Murray.	Watson.

Absent.

Real.

Absent—Excused.

Wiley.

PAIRED.

Senator Warren (present), who would vote "yea" with Senator Kauffman (absent), who was vote "nay."

Senator Johnson (present) who would vote "yea" with Senator Astin (absent), who would vote "nay."

The bill was read third time and passed by the following vote:

Yeas—21.

Brelsford.	McGregor.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Nugent.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Vaughan.
Hudspeth.	Westbrook.
Johnson.	Willacy.
Lattimore.	

Nays—6.

Astin.	Paulus.
Bailey.	Watson.
Murray.	Weinert.

Absent.

Real.

Absent—Excused.

Wiley.

PAIRED.

Senator Warren (present), who would vote "yea," with Senator Kauffman (absent), who would vote "nay."

Senator Vaughan moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

REASON FOR VOTE.

I vote "yea" for the reason that I am a strict local option prohibitionist, and believe in protecting as vigorously as possible local option, and to suppress and make impossible bootlegging and other violations of local option, and because I am radically opposed to all the evils of the liquor traffic, but I protest against the extreme proposition that any citizen of this State shall be deprived of the right and personal liberty of having any intoxicating liquor in reasonable quantities shipped or transported to himself for use of himself personally or for his family, or for medicinal purposes in his own judgment, as a free man.

NUGENT.

THIRD HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the report of Free Conference Committee on Senate bill No. 393 by the following vote: Yeas, 115; nays, 0.

Also passed the following bills:

Senate bill No. 362, A bill to be entitled "An Act to authorize, empower and permit Aransas county, upon a vote of two-thirds majority of the resident property taxpayers, voting thereon, who are qualified electors of said county, to issue bonds, or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of said Aransas county, and to levy and collect taxes to pay the interest on said bonds and to provide a sinking fund for the redemption thereof, for the purpose of laying out, opening, constructing and maintaining a public road and highway or causeway across the waters of Aransas Bay, between Lamar Peninsula and Live Oak Peninsula, in said county, so as to connect the public road system of said county lying north of Copano Bay with the public road system of said county

of Live Oak Peninsula, and declaring an emergency."

Senate bill No. 349, A bill to be entitled "An Act to create the Mathis Independent School District in San Patricio county, Texas, out of the territory known as Common School District No. 5 in said county, defining its boundaries and providing for the election of trustees therefor and authorizing the board of trustees to levy, assess and collect special taxes, conferring upon the board of trustees plenary powers, providing authority to issue bonds for the purpose of purchasing school building sites and erecting, furnishing and equipping school buildings within the said district, to levy taxes therefor and to pay current expenses for the support and maintenance of said schools, providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore levied, and declaring an emergency."

Senate bill No. 400, A bill to be entitled "An Act providing more efficient road law for Bexar county, Texas, and declaring an emergency."

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 14.

The Chair laid before the Senate, on second reading.

House bill No. 14, A bill to be entitled "An Act to regulate the sale and disposition of spirituous, vinous and malt liquors and medicated bitters capable of producing intoxication, and the places wherein same are sold; imposing an occupation tax upon persons, firms, corporations and association of persons selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication; requiring liquor dealers and other persons to secure a license to sell such liquors; and defining retail liquor dealers and regulating the business thereof; requiring retail malt dealers and other persons to secure license to sell malt liquors exclusively capable of producing intoxication; and defining retail malt dealers, and regulating the business thereof; exempting wine growers who sell wine of their own production from the provisions of this act, providing same is not sold to be drunk on the premises where sold, and other-

wise regulating of such wine growers; regulating the transfer of license of retail liquor dealers and retail malt dealers; prescribing the conditions of the bonds of such retail dealers and the conditions upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license; requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors and providing penalties for the violation of the provisions of this act; prescribing the method and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto, and repealing all laws or parts of laws in conflict herewith, requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license."

The committee report, adverse with favorable (committee) substitute, was adopted.

Senator Watson offered the following amendment:

Amend the bill by striking out all after the enacting clause and insert in lieu thereof the following:

Section 1. That Section 9, Section 9g, Section 14 and Section 15, of Chapter 17, General Laws passed by the First Called Session of the Thirty-first Legislature, regulating the sale of intoxicating liquor, and fixing the hours of opening and closing any house or place of business where intoxicating liquor is licensed to be sold, be amended so as to hereafter read as follows:

Sec. 9. That any person or persons desiring to obtain a "retail liquor dealer's" license in this State or a "retail malt dealer's" license, shall before filing his or their petition for such license with the county judge as now provided by this act, make application under oath, to the Comptroller of Public Accounts of this State, for a permit to apply for a

license to engage in such business, which application shall be in form substantially as follows:

To the Comptroller of Public Accounts of the State of Texas:

I, or we, ——— and ——— of the county of ———, State of Texas, hereby apply for a permit to apply for a license to engage in the business of retail liquor dealer or dealers (or retail malt dealer or dealers) under the laws of this State, said business to be conducted at No. ——— Street, in ——— in the county of ———, State of Texas; that there is now no statute or ordinance of the city in force prohibiting the retail sale of liquors at said place; that I, or we, have resided for the past two years in ——— county, State of Texas, and during said time have been engaged in business of ———; that I am, or we are, not disqualified under the laws of this State from engaging in the proposed business, that no other person or corporation is in any manner interested in or to be interested in the proposed business; that I, or we, have not since the first day of May, A. D. 1909, as owner, or as the representative, agent or employe of any other person, kept open any saloon or place of business where spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication were sold, or sold, aided or advised any other person in selling in or near any such house or place of business, any such liquor after 9:30 o'clock p. m. on Saturday and between that hour and 6 o'clock a. m. of the following Monday of any week; or since said date, either in person or by agent or employe knowingly sold or permitted to be sold or given away in or near any such place of business, any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, to any person under the age of twenty-one years, or to any student of any institution of learning or to any habitual drunkard, after having been notified in writing through the sheriff or other peace officer by the wife, sister, father, mother, or daughter, of such person not to sell to such habitual drunkard; or permitted any person not over the age of twenty-one years to enter and remain in such house or place of business or permitted any games prohibited by the laws of this State to be played, dealt or exhibited in or about such house or place of business or rented or let any part of the house or place of business in which such business was conducted to any person or persons for the

purpose of conducting any game or games prohibited by the laws of this State; or knowingly sold or given away any adulterated or impure liquors of any kind or sold or permitted, aided or advised in selling under a "retail malt dealer's" license any other liquors than those defined by the law as "malt liquors."

And if the permission herein sought be granted and the said retail license be issued, I or we, will not either in person or knowingly by any agent, employe or representative, during the year for which such license shall run, keep open house or place where liquors shall be sold under such license for the sale thereof or transact such business in such house or place of business after 9:30 o'clock p. m. on Saturday and between that hour and 6 o'clock a. m. on the following Monday of any week; or knowingly sell in or near any such place of business or give away or permit to be given away any spirituous, vinous or malt liquors, or medicated bitters capable of producing intoxication to any person under the age of twenty-one years, or to any student of any institution of learning, or to any habitual drunkard, after having been notified in writing through the sheriff or other peace officer, by the wife, mother, father, daughter, or sister not to sell to such habitual drunkard; or to permit any person not over the age of twenty-one years to enter and remain in such house or place of business; or permit any game prohibited by the laws of this State to be played, dealt or exhibited in or about such house or place of business, or rent or let any part of the house or place of business in which such business is conducted to any person or persons, for the purpose of conducting any game or games prohibited by the laws of this State; or knowingly sell or give away any impure liquor or adulterated liquors of any kind, and if the application be for a "retail malt dealer's" license it shall further state that he or they under the said license will not sell any other liquors than those defined by law as "malt liquors."

And it is hereby agreed that if the license to be applied for be issued, that the same will be issued upon condition that it shall remain in force only so long as I (or we) observe and carry out each and all of the declarations herein made, and that in the event I (or we) violate any of the promises or do or perform any one or more of the acts which it is herein declared shall not be done or performed, that either the county judge

or the Comptroller of Public Accounts of the State of Texas, in the manner provided in this act, may rescind, cancel and annul the said State and county license granted in pursuance of this application and that all money paid for such license shall be forfeited to the State and county or city to whom paid; and that I (or we) will at once, upon the cancellation of such license, close up the place where such business is being conducted, and cease to do such business, and will not within five years from that date again, either as owner, agent, representative or employe of any other person attempt to enter into or engage in the retail liquor business, unless the order of the Comptroller canceling and rescinding such license shall be annulled in case of such licenses shall have been cancelled by the Comptroller.

Sworn to and subscribed before me, a _____, within and for the county of _____, State of Texas, by _____ on this, the _____ day of _____, 19—.

(L. S.)

(Signature of Officer.)

That upon receiving such application it shall be the duty of the Comptroller to file the same and keep it as a permanent record in his office, to examine and act upon the same, and if he is satisfied that such applicant is entitled to such permit, he shall upon the payment to him by the applicant of \$2.00, issue to him such permit, under his hand and the seal of his office, which, together with a copy of such application, duly certified to under the hand and seal of the Comptroller, shall be delivered by him to the applicant, and the said permit, together with the certified copy of said application, shall be filed with the county judge, together with the petition for license to be filed with the county judge, and shall remain a permanent record in the office of the county judge, and no petition for licenses shall be entertained by the county judge until said certified copy and permit have been filed with him by the applicant.

Sec. 9g. That upon receipt of the said depositions the Comptroller shall open and proceed to consider the same, and if he shall determine from the preponderance of the credible evidence therein contained that, at any time after the issuance of said license the house or place where the business of selling liquors under said license was conducted, was kept open and business con-

ducted therein after 9:30 o'clock p. m. and between that hour and 6 o'clock a. m. on the following Monday of any week; or that any intoxicating liquors or medicated bitters capable of producing intoxication were knowingly sold, permitted to be sold or given by the holder or holders of such license to any person under the age of 21 years; or to any student of any institution of learning or to any habitual drunkard after having been notified in writing through the sheriff or other peace officer, by the wife, mother, father, daughter or sister of such habitual drunkard not to sell same to him or that any person not over the age of 21 years had been permitted to enter and remain in such house or place of business; or that games prohibited by laws of this State had been permitted to be played, dealt or exhibited in or about such house or place of business, or that the person or persons holding such license had rented or let any part of the said house or place of business where such business is conducted to any person or persons for the purpose of conducting any game or games prohibited by the laws of this State; or that the person or persons holding such license had knowingly sold or given away any adulterated or impure liquors of any kind, or sold or knowingly permitted to be sold, or aided or advised in selling, under a retail malt dealer's license, any other liquors than those defined by law as malt liquors, he shall rescind, vacate or withdraw such license and shall issue a certificate in triplicate under his hand and the seal of said office, declaring the rescission of such license, theretofore issued, to such person or persons, one copy of which certificate shall remain on file in his office and one copy shall be forwarded by the Comptroller by mail to the county judge of the county where the place of business of the person or persons whose license has been so rescinded and withdrawn; and it shall be unlawful thereafter for such person or persons to continue such business, and any attempt to do so shall subject him or them to the penalty herein provided for pursuing such business without a license; and any person or persons whose license has been so rescinded and withdrawn shall forfeit to the State, county and city all money paid therefor, and they shall never have any claim against the State, county or city on account of any money paid for such license.

Sec. 14. That every person or firm having a license under the provisions of this act, who may be engaged in or

who may hereafter engage in the sale of intoxicating liquors to be drunk on the premises (in any locality of this State, other than where local option is in force) shall close and keep closed their houses and places of business and transact no business therein or therefrom from and after 9:30 o'clock p. m. until 6 o'clock a. m. of each week day, and shall close and keep closed their houses and places of business and transact no business therein or therefrom from and after 9:30 o'clock p. m. Saturday until 6 o'clock a. m. of the following Monday of each week, and any such person or firm or his or their agent or employe, who shall open or keep open, or permit to be opened or kept open, any such house or place of business for the purpose of traffic or who shall sell or barter any intoxicating liquor of any kind, or who shall transact or permit to be transacted therein or therefrom any such business between the hours aforesaid, shall be deemed guilty of a misdemeanor and on conviction shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not more than three months, or by both such fine and imprisonment.

Sec 15. That every person or firm desiring to engage in the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, to be drunk on the premises, shall, before engaging in such sale, be required to enter into a bond in the sum of \$5000; provided, however, that any person or firm dealing exclusively in malt liquors shall be required to give bond only in the sum of \$1000, with at least two good, lawful and sufficient sureties, and the sureties required by law on the bonds of liquor dealers shall make affidavit before some officer authorized to administer oaths, that they, in their own right, over and above all exemptions, are each worth the full amount of the bond they sign as sureties, and no county judge shall approve any such bond unless the affidavit as provided for in this section shall have been duly made. The approval of any such bond by the county judge without such affidavit shall make said county judge liable for any penalty recovered on such liquor dealer's bond, and any person who shall make any false affidavit as required by this act shall be punished as provided for in the Penal Code of this State. Provided, that nothing herein shall prevent the making of such bond by a surety company as permitted by law, payable to the State of

Texas, to be approved as to security by the county judge, which bond shall be conditioned that said person or firm so selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, in any quantity, to be drunk on the premises, shall not either in person or knowingly by any agent, employe or representative during the year for which such license shall run, keep open the house or place where liquors shall be sold under such license for the sale thereof or transact such business in such house or place of business after 9:30 o'clock p. m. on Saturday and between that hour and 6 o'clock a. m. on the following Monday of any week; and that such person or firm shall keep an open, quiet and orderly house or place for the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, and that such person, or firm or his or their agent or employe, will not sell or permit to be sold in his or their house or place of business, nor give nor permit to be given any spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication to any person under the age of twenty-one years, or to a student of any institution of learning, or any habitual drunkard, after having been notified in writing through the sheriff or other peace officer by the wife, father, mother, daughter or sister of such habitual drunkard, said notice shall be in force and effect for a period of two years, not to sell to any such person, and that he or they will not permit any person under the age of twenty-one years to enter and remain in such house or place of business; that he or they will not permit any games prohibited by the laws of this State to be played, dealt or exhibited in or about such house or place of business, and that he or they will not rent or let any part of the house or place in which he or they have undertaken to sell spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, in any quantity, to be drunk on the premises, to any person or persons for the purpose of running or conducting any game or games prohibited by the laws of this State; and that he or they will not adulterate the liquors sold by them in any manner, mixing the same with any drug, and that he or they will not knowingly sell or give away any impure or adulterated liquors of any kind; which said bond shall be filed in the office of the county clerk of the county where such business is conducted, and shall be recorded

by such clerk in a book to be kept for such purpose, for which service said clerk shall be entitled to a fee of 75 cents, which said bond may be sued on at the instance of any person or persons aggrieved by the violations of its provisions, and such person shall be entitled to recover the sum of \$500 as liquidated damages for each infraction of the conditions of such bond; and the said bond shall not be void on the first recovery, but may be sued on until the full penal sum named therein shall have been recovered. In addition to civil proceedings for individual injuries brought on said bond, as above indicated, if any person or firm shall violate any of the conditions of the bond herein required, it shall be the duty of the county and district attorney, or either of them to institute suit thereupon, or any person owning real property in the county may institute suit thereupon, in the name of the State of Texas, for the use and benefit of the county, but no compensation shall be allowed such citizen, and he may be required to give security for costs, and the amount of \$500 as a penalty shall be recovered from the principals and sureties upon the liquor dealer's bond upon the breach of any of the conditions thereof; and hereafter when any recovery is had by any person or by any county or district attorney for the use and benefit of the county in any action in any court of competent jurisdiction upon the bond of any person or firm engaged in the sale of spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication, or malt liquors exclusively, to be drunk on the premises, in any locality other than where local option is in force, upon the ground that such licensee sold or permitted to be sold, or gave or permitted to be given any such liquors to a minor in his place of business, or permitted a minor to enter or remain in his place of business, or sold such liquor to any habitual drunkard after having been notified in writing not to sell to such habitual drunkard or that such licensee permitted prostitutes or lewd women to enter and remain in his place of business, or permitted any games prohibited by the law to be played, dealt or exhibited in or about his place of business, or of renting or letting his place of business or any part thereof for such purpose or purposes, the license of such person or firm shall by reason of such recovery, be forfeited, revoked and canceled and the court entering judgment of recovery shall also

enter an order declaring forfeited, revoked and canceled such license, and the unearned portion of the occupation tax paid therefor shall not be refunded, but shall be forfeited to the State and county, city or town to which the money for the same may have been paid. And any person or firm who shall sell any liquors or medicated bitters in any quantity, to be drunk on the premises, without first giving bond as required by this act, or who shall sell the same after said license shall have been forfeited, revoked or canceled shall be deemed guilty of a misdemeanor, and on conviction shall be fined in the same amount provided for sales where no license has been obtained.

An open house in the meaning of this chapter is one in which no screens or other device is used or placed inside or outside of such house or place of business for the purpose of or that will obstruct the view through the open door or place of entrance into any such house or place where intoxicating liquors are sold to be drunk on the premises.

A quiet house or place of business in the meaning of this chapter is one in which no music, loud or boisterous talking, yelling or indecent or vulgar language is allowed, used or practiced, or any other noise calculated to disturb or annoy any person residing or doing business in the vicinity of such house or place of business, or those passing along the streets or public highways.

By an orderly house is meant one in which no prostitutes or lewd women or woman are allowed to enter or remain; and it is further provided that said house must not contain any vulgar or obscene pictures.

Any surety on such bond may relieve himself from further liability thereon by giving the principal in said bond notice in writing that he will no longer remain as surety thereon, and by filing with the county judge an affidavit that such notice has been given, and if within five days after such notice the principal fails to make a new bond he shall cease to pursue said business until a new bond is given. Any person who shall continue to pursue said business after such notice is given and such affidavit is filed shall be guilty of a misdemeanor and shall be punished as provided in cases where no license has been procured; provided, that where the sale was made in good faith or the minor permitted to enter and remain in good faith, with the belief that the minor was of age, and there is good ground for such belief,

that shall be a valid defense to any recovery on such bond; provided further, that where the sale to an habitual drunkard is made in good faith, with the belief that he is not an habitual drunkard, and there are good grounds for such belief, that shall be a valid defense to any recovery on such bond, provided the provisions of this act shall apply to suits by the State or of any individual. Provided, that no license shall be issued under this act to any person who has been convicted of a felony and served such term of conviction.

Pending discussion, Senator Brelsford moved to postpone further consideration on the bill until tomorrow morning after the morning call.

The motion was lost by the following vote:

Yeas—18.

Brelsford.	McNealus.
Collins.	Morrow.
Conner.	Murray.
Cowell.	Nugent.
Gibson.	Paulus.
Greer.	Real.
Johnson.	Warren.
Lattimore.	Westbrook.
McGregor.	Willacy.

Nays—11.

Astin.	Terrell.
Bailey.	Townsend.
Carter.	Vaughan.
Darwin.	Watson.
Hudspeth.	Weinert.
Taylor.	

Absent.

Kauffman.

Absent—Excused.

Wiley.

Senator Vaughan moved to table the amendment by Senator Watson, which motion to table was lost by the following vote:

Yeas—13.

Carter.	McNealus.
Collins.	Taylor.
Conner.	Townsend.
Darwin.	Vaughan.
Greer.	Warren.
Johnson.	Westbrook.
Lattimore.	

Nays—14.

Astin.	Hudspeth.
Bailey.	McGregor.
Cowell.	Morrow.
Gibson.	Murray.

Nugent.
Paulus.
Terrell.

Watson.
Weinert.
Willacy.

Present—Not Voting.

Brelsford.

Kauffman.

PAIRED.

Senator Real (present), who would vote "nay," with Senator Wiley (absent), who would vote "yea."

REASON FOR VOTING.

I vote "no" on motion to table Watson amendment to Kennedy bill because I fear to vote otherwise would endanger the enactment of the 9:30 closing law.
MORROW.

Action recurred on the amendment by Senator Watson, and the same was adopted.

The bill was read second time, and passed to a third reading.

On motion of Senator Vaughan, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Astin.	Murray.
Bailey.	Morrow.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Lattimore.	Westbrook.
McGregor.	Willacy.
McNealus.	

Absent.

Kauffman.

Absent—Excused.

Wiley.

The bill was read third time, and passed by the following vote:

Yeas—29.

Astin.	Conner.
Bailey.	Cowell.
Brelsford.	Darwin.
Carter.	Gibson.
Collins.	Greer.

Hudspeth.	Taylor.
Johnson.	Terrell.
Lattimore.	Townsend.
McGregor.	Vaughan.
McNealus.	Warren.
Morrow.	Watson.
Murray.	Weinert.
Nugent.	Westbrook.
Paulus.	Willacy.
Real.	

Absent.

Kauffman.

Absent—Excused.

Wiley.

Senator Watson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXECUTIVE MESSAGE—VETO ON SENATE BILL NO. 159.

Governor's Office,
Austin, Texas, March 19, 1913.

To the State Senate:

The caption of Senate bill No. 159 reads as follows:

"An Act to amend Section 116 of Chapter 96, Acts of the Regular Session of the Thirty-second Legislature, being an act entitled 'An Act to amend Sections 114, 115, 116, 117, 118, 119, 120 and 121 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Sections 122, 123 and 124 of Chapter 124 of the Acts of the Twenty-ninth Legislature, as amended by Chapter 7 of the Second Called Session of the Thirty-first Legislature; and repealing Sections 105, 106, 107, 108, 109, 110, 125 and 126 of Chapter 124 of the Acts of the Twenty-ninth Legislature, and Chapters 68 and 149 of the Acts of the Thirtieth Legislature, relating to teachers' certificates, and declaring an emergency,' so as to permit the issuance of State first-grade certificates to persons who have done certain required work in the junior colleges of Texas."

It is not believed that this bill will improve the standard of the teachers in this State. Legislation which does not improve upon that which is in existence, I do not believe to be necessary, and for this reason I am returning Senate bill No. 159 to the Senate without my approval.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

INVITATION TO VISIT A. AND M. COLLEGE.

Senator Astin offered the following:

To the Hon. Will H. Mayes, President of the Senate, and Members of the Senate of the Thirty-third Legislature:

The Faculty and entire student body join me in a cordial invitation to the Legislature to visit the A. and M. College.

R. T. MILNER,
President.

The invitation was read, and Senator Townsend offered the following amendment:

Amend the invitation by adding the following at the end of said invitation:

"That we thank the President of said College for said invitation, but on account of press of our official duties that we do not adjourn on said date."

The amendment was read, and lost by the following vote:

Yeas—11.

Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Johnson.	Warren.
Lattimore.	Westbrook.
Paulus.	

Nays—13.

Astin.	Nugent.
Bailey.	Real.
Brelsford.	Terrell.
Carter.	Watson.
Gibson.	Weinert.
Hudspeth.	Willacy.
McGregor.	

Present—Not Voting.

Morrow.	Murray.
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Absent.

Conner.	Kauffman.
Greer.	McNealus.

Absent—Excused.

Wiley.

The invitation was read second time, and accepted by the following vote:

Yeas—14.

Astin.	Brelsford.
Bailey.	Carter.

Gibson.	Real
Hudspeth.	Terrell.
McGregor.	Watson.
Nugent.	Weinert.
Paulus.	Willacy.

Nays—11.

Collins.	Taylor.
Cowell.	Townsend.
Darwin.	Vaughan.
Johnson.	Warren.
Lattimore.	Westbrook.
Murray.	

Present—Not Voting.

McNealus. Morrow.

Absent.

Conner. Kauffman.
Greer.

Absent—Excused.

Wiley.

ADJOURNMENT.

Senator Hudspeth, at 6:50 o'clock p. m., moved that the Senate adjourn until 10 o'clock tomorrow morning.

Senator Collins moved, as a substitute, that the Senate recess until 8:30 o'clock tonight.

Action recurred on the longest time first and the motion to adjourn until 10 o'clock tomorrow morning was adopted by the following vote:

Yeas—15.

Astin.	Morrow.
Cowell.	Murray.
Darwin.	Nugent.
Gibson.	Real.
Hudspeth.	Terrell.
Johnson.	Watson.
McGregor.	Westbrook.
McNealus.	

Nays—11.

Brelsford.	Townsend.
Carter.	Vaughan.
Collins.	Warren.
Lattimore.	Weinert.
Paulus.	Willacy.
Taylor.	

Absent.

Bailey. Greer.
Conner. Kauffman.

Absent—Excused.

Wiley.

APPENDIX.

BILLS AND RESOLUTIONS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

Senate bill No. 336, "An Act granting to Fannin county a more efficient road law, and declaring an emergency."

Senate bill No. 256, "An Act permitting the formation and incorporation of mutual fire, lightning, hail and storm insurance companies, etc., and declaring an emergency."

Senate bill No. 31, "An Act to amend Article 6272, Revised Civil Statutes of 1911, adopted by the Thirty-second Legislature, defining indigency within the meaning of the pension laws of this State, and declaring an emergency."

(Signed by President Pro Tem. Lattimore.)

House Concurrent Resolution No. 22, Requesting the Governor to return to the House, House bill No. 22 for further consideration.

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 129, A bill to be entitled "An Act to provide for the teaching of cotton classing in the State normal schools, State industrial schools, summer normal schools, teachers' institutes and the public free schools, with certain exemptions, and providing for the method of procuring official types or standards and the issuance of certificates of proficiency to those entitled to same,"

Have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass.

Paulus, Chairman; Weinert, Cowell, Johnson, Darwin, Astin.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 606, A bill to be entitled "An Act to amend Article 7642, of Chapter 13, Title 126, Revised Statutes 1911, providing for the redemption by the owner of lands or lots heretofore sold or that may hereafter be sold to the State, city or town for taxes, and declaring an emergency,"

Have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass and be not printed.

Murray, Chairman; Johnson, Hudspeth, Nugent, Collins.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 218, A bill to be entitled "An Act to name the several counties composing the Thirty-third Judicial District, and fix the time for holding district courts therein, and to repeal all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration, and recommend that it do pass, but be not printed.

Hudspeth, Chairman; Nugent, Bailey, Collins, Brelsford.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 469, A bill to be entitled "An Act to amend Senate bill No. 233, passed by the Thirty-third Legislature at its Regular Session, entitled 'An Act adding to and making a part of the Slaton Independent School District of Lubbock county certain lands and territory adjoining thereto situate in Lubbock county, and adding thereto and making a part thereof certain lands and territory adjoining thereto situate in Lynn county, all for school purposes; giving the board of trustees of said district power and jurisdiction over said lands and territories and the inhabitants thereof; requiring such board of trustees to levy, assess, collect and pay into the county treasury annually proportional part of a certain bond tax existing on part of said territory; validating the incorporation proceedings of said independent school district,' so as to read as follows, and declaring an emergency,"

Have had the same under consideration, and report the same back to the

Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Weinert, Real, Gibson, Johnson, Darwin, Cowell, Astin.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 470, A bill to be entitled "An Act to amend Section 1 of Chapter 24, of the Acts of the Thirty-second Legislature, entitled 'An Act to diminish the civil and criminal jurisdiction of the county court of Kendall county; to conform the jurisdiction of the district courts thereto, and to repeal all laws in conflict therewith, and declaring an emergency,' so as to confer upon the county court of Kendall county of all cases or matters of eminent domain, and to repeal all laws in conflict therewith, and declaring an emergency,"

Have had the same under consideration, and report the same back to the Senate with the recommendation that it do pass and be not printed.

Conner, Chairman; Nugent, Paulus, Carter, Townsend, Bailey.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 575, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Stonewall county, and declaring an emergency,"

Have had the same under consideration, and report same back to the Senate with the recommendation that it do pass, and be not printed.

Hudspeth, Chairman; Nugent, Collins, Taylor, Bailey, Greer, Morrow, Carter.

Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

House bill No. 576, A bill to be entitled "An Act to exempt the counties of Stonewall, Kent, Scurry and Fisher from the provisions and operations of Articles 7256 and 7305, inclusive, of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals, and repealing all laws in conflict therewith, and declaring an emergency,"

Have had the same under considera-

tion, and report the same back to the Senate with the recommendation that it do pass and be not printed.

Astin, Chairman; Murray, Warren, Westbrook, Conner, Taylor, Vaughan, Real.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 238, A bill to be entitled "An Act to validate all instruments proved or acknowledged before any woman who was commissioned as a notary public, and making all such instruments admissible as testimony, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 315, A bill to be entitled "An Act to authorize and empower the State Normal Schools Board of Regents of the State of Texas to acquire by purchase or condemnation for the use and benefit of any State normal school which now is or may hereafter be under the control of said board of regents, such lands within the counties where such schools, or either of them, are now or may hereafter be located, as they may deem expedient for sites on which to erect and maintain buildings, and for the extension of the campus and other purposes in the conduct of any of the said State Normal schools, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 180, A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legis-

lature, relative to fire insurance companies; prescribing conditions for transacting business, and declaring an emergency,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 459, A bill to be entitled "An Act to amend an act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road commissioners, fixing their salaries and prescribing their duties, and declaring an emergency, passed by the Regular Session of the Thirty-third Legislature and approved by the Governor March 5, A. D. 1913,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 297, A bill to be entitled "An Act making it a criminal offense, punishable by fine, for any person in this State, pursuing the business or occupation of a peddler, hawker or itinerant vendor of goods, wares and merchandise, to willfully refuse to leave the premises owned or leased by another after being notified by the person or agent of the person owning or in possession of such premises, to leave such premises,"

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 421, A bill to be entitled "An Act to prohibit the creation of deficiencies or debts in the name of the State by regents, directors, officers or

members of governing boards of any of the educational or eleemosynary institutions of the State of Texas; to prohibit the making of any contract inconsistent with existing laws, making invalid all such contracts and debts, providing for penalties for violations of this act, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.
BRELSFORD, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 256, and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 336, and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 31, and find it correctly enrolled, and have this day, at 11:30 o'clock a. m., presented same to the Governor for his approval.

GIBSON, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred House bill No. 281, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be printed in Thursday's Journal.

KAUFFMAN, Chairman.

Following is the bill in full:

H. B. No. 281.

By Harp.

A BILL

To Be Entitled

An Act for the relief of railway corporations having charters granted or amended since the first day of January, 1892, and which have failed or are about to fail, to construct their roads and branches or any part thereof, within the time required by law, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the time in which any railway corporation chartered under the laws of the State of Texas since the first day of January, 1892, or the charter of which has been amended since that date, is required to begin construction of its road, and construct, equip and put in good running order, as required in Article 4558 of the Revised Statutes of the State of Texas of 1895, and the same hereby is, as to any unfinished portion of such road, extended two years from the taking effect of this act; and any railway company having been chartered since January 1, 1892, or the charter to which has been amended since said date, which shall have forfeited its corporate existence or any of its rights and powers, or is about to do so, by reason of the failure to comply with said Article 4558, or any part of said article, shall have restored and preserved to it, its corporate existence, and it shall have and enjoy all of the corporate franchises, property rights and powers held or acquired by it previous to any cause or forfeiture as aforesaid; provided, that no railway company which shall be revived or the time extended by virtue of this act, shall claim or exercise any franchise not allowed, granted or permitted to other railway corporations under the law now in force in this State.

Sec. 2. Any railway corporation chartered since the first day of January, A. D. 1892, and which by its original charter or by amendment thereto, filed since said first day of January, A. D. 1892, has further provided for the locating, constructing, maintaining, owning and operating of any extension or branch line or lines of railway, and which has failed or is about to fail to complete the same, or any part thereof, within the time required by law, shall, upon payment of all its franchise tax, be and is hereby restored to and granted all and

singular the rights, privileges and franchises acquired by its original charter, or by such amendment to its articles of incorporation, as if the same was filed and recorded in the office of the Secretary of State on the day of taking effect of this act, and such corporation shall, upon payment of its franchise tax, be and is hereby authorized to project, complete, construct, own and operate any such extension and branch line or lines of railway under and as provided for in its charter or in any amendment to its articles of incorporation; provided, that such extension and branch line of railway shall be by such corporation completed and put in good running order at the rate of at least ten miles in one year from the taking effect of this act, and twenty additional miles for each and every year thereafter, until all of the branch line or lines of extension as provided for are completed.

Sec. 3. The fact that no good can result to the State from the forfeiture provided for against this act, and that the public interest and convenience will be promoted and citizens in many parts of the State having invested in railway enterprises are subject to great loss unless the relief herein provided for be granted, therefore an emergency and an imperative public necessity authorizing the suspension of the constitutional rule requiring bills to be read on three several days is created, and it is so suspended, and demanding that the act take effect and be in force from and after its passage, and it is so enacted.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred House bill No. 346, A bill to be entitled "An Act to amend Article 5217, Title 75, Chapter 12, of the 1911 Revised Civil Statutes of Texas, providing that 9 (nine) jurors may render a verdict in the district court and 5 (five) jurors may render a verdict in the county and justice courts, providing that if any part of this act is declared unconstitutional, it shall not affect the other provisions,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred House bill No. 346, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass.

BRELSFORD,
LATTIMORE.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred House bill No. 117, A bill to be entitled "An Act to amend Articles 1521, 1522, 1543, 1544, and 1526, of the Revised Civil Statutes of 1911 defining the original and appellate jurisdiction of the Supreme Court and regulating practice therein,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do not pass, and be not printed.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred House bill No. 117, have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

HUDSPETH.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Committee on Public Health, to whom was referred Senate bill No. 423, A bill to be entitled "An Act to define and regulate the practice of massage, to create a board of examiners for the examination and licensing of masseurs and masseuse, and to prescribe their qualifications, to provide for their proper registration, and to provide for the revocation of their licenses, and to fix suitable penalties

for the violation of this act, and also to repeal all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 11, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Committee on Public Health, to whom was referred Senate bill No. 423, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

COLLINS.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 468, A bill to be entitled "An Act creating a more efficient road system for Upshur county, Texas, prescribing the powers and duties of the county commissioners court with reference to public roads, etc.,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

TERRELL, Chairman.

Committee Room,
Austin, Texas, March 19, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Federal Relations, to whom was referred

Senate Concurrent Resolution No. 15, relating to the adjustment of tariff and revenue on imported and domestic spirits and beers,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WESTBROOK, Chairman.

PETITIONS AND MEMORIALS.

By Senator Brelsford:

Petition signed numerously by citizens of Jones county requesting endeavors toward defeating proposed amendments to the present game law.

By Lieutenant Governor Mayes:

Copy of resolutions passed by the Texas Shorthorn Breeders' Association advocating divorcing the teaching of agriculture and stock breeding from other studies, as well as from military duties, and advocating the establishment of separate schools and stations, and especially that one be located in the section between Fort Worth and Dallas.

By Senator Paulus:

Numerous petitions advocating amending the Constitution so that lands held for purposes of speculation may be taxed on a basis equivalent to their full rental value.

FIFTIETH DAY.

Senate Chamber,
Austin, Texas,
Thursday, March 20, 1913.

The Senate met pursuant to adjournment, and was called to order by Lieutenant Governor Will H. Mayes:

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Morrow.
Bailey.	Murray.
Brelsford.	Nugent.
Carter.	Paulus.
Collins.	Real.
Conner.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Vaughan.
Greer.	Warren.
Hudspeth.	Watson.
Johnson.	Weinert.
Kauffman.	Westbrook.
Lattimore.	Wiley.
McGregor.	Willacy.
McNealus.	

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Darwin.

(See Appendix for petitions and memorials and standing committee reports.)